

Town of Needham Housing and Zoning Analysis

Executive Summary

The Town of Needham, like many communities in the Metro West area of Boston, has been experiencing a number of notable challenges with respect to housing. For example, as an older suburb of Boston, Needham is mostly built-out and increasing the housing supply has largely involved demolition and replacement activity or the development of properties in the outskirts of the community, including nonresidential property. This is likely to continue in the future in concert with the redevelopment of underutilized properties in areas where some greater density is appropriate.

There have also been increasing pressures fueling greater housing demand. Needham's location as an inner suburb of Boston with four commuter rail stations has increasingly attracted those looking to raise their families in a popular community with an excellent school system. The combination of more limited housing production and growing housing demand has resulted in several market changes, most notably rising housing costs. For example, the median single-family house price was \$1,263,950 in November 2020 (\$839,950 for condominiums), up from \$915,000 and \$563,500, respectively, the year before.

Despite intense market pressures, the Town has made progress in promoting greater diversity and affordability of its housing stock including:

- *Increasing supply of affordable housing* -- The Town's supply of affordable housing has increased markedly over the years and has surpassed the 10% affordability threshold under Chapter 40B, now at 12.7%. Despite this achievement, the Town approved another Chapter 40B development in 2019 for 16 rental units near the Town Center, four of which will be affordable.
- *Further diversifying the housing stock with more rental housing* – While single-family homes have predominated Needham's housing market, almost one thousand units of new rental housing has been built in the recent past with one-quarter being affordable as part of most of these developments.
- *New funding to help existing owners and renters* – The Town has launched a number of new programs to stabilize housing including the Small Repair Grant Program for qualifying homeowners in making important health and safety improvements and the Emergency Rental Assistance Program to assist tenants who have lost income due to COVID-19 in covering part of their rent and avoid eviction.
- *Less restrictive zoning* – Almost half of the Town's land area is zoned for 10,000 square foot lots, relatively rare in other suburbs where large-lot zoning predominates.
- *Promotion of mixed-use, mixed-income and multi-family housing* – The Town has established special overlay districts to encourage the development of mixed residential and commercial uses at a denser scale in appropriate locations. These districts also mandate the inclusion of affordable housing.

This report reviews these and other efforts that have been made to address housing needs and further examines challenges to continue to advance local community housing goals.

Town of Needham Housing and Zoning Analysis

The Town of Needham has approximately 11,000 total housing units with a median single-family house price of \$1,263,950 (\$839,950 for condominiums) as of November 2020, up from \$915,000 and \$563,500, respectively, a year ago. Housing prices are not only high and rising, but market conditions are tightening with vacancy rates at about 1% and little or no affordability remaining in the private unsubsidized housing stock. These conditions have been exacerbated by substantial teardown activity, involving the demolition of more modest homes with much larger and expensive ones, further driving up housing prices and eroding housing affordability. The loss of income that many have suffered as a result of Covid-19 is exerting further pressures on existing residents, many who are struggling to afford to remain in their homes and community.

Under MGL Chapter 40B, if less than 10% of a municipality's housing stock is affordable, developers can override local zoning if the project includes deed-restricted affordable units and meets other state requirements.¹ Despite intensifying market pressures, Needham has made considerable progress in promoting greater housing diversity over the years with 1,410 state-approved affordable units included on the Subsidized Housing Inventory (SHI), representing 12.76% of its housing stock.² An additional nine affordable units will be included in the SHI as a result of rezoning requirements for the Carter Mill development that will bring the total number of SHI units to 1,419 and a 12.8% level of affordability. Consequently, Needham is well beyond the 10% state affordability threshold under MGL Chapter 40B. Nevertheless, the Town recognizes that there still remains a pressing need for greater housing diversity and affordability in the community.

This report reviews the progress that has been made in the past to address housing needs and examines challenges to further advance local community housing goals.

I. Housing Production Accomplishments

The affordable units that are part of Needham's ***Subsidized Housing Inventory, that now exceeds the 10% affordability goal under Chapter 40B***, include the following:

Rental Housing

- The Needham Housing Authority owns and manages 296 units of subsidized housing including 198 one-bedroom units for seniors and disabled individuals of any age and 90 units for families and veterans. The Authority also maintains two staffed apartments that serve eight individuals with special needs.

¹ Chapter 774 of the Acts of 1969 established the Massachusetts Comprehensive Permit Law (Massachusetts General Laws Chapter 40B) to facilitate the development of affordable housing for low- and moderate-income households – defined as any housing subsidized by the federal or state government under any program to assist in the construction of low- or moderate-income housing for those earning less than 80% of median income – by permitting the state to override local zoning and other restrictions in communities where less than 10% of the year-round housing is subsidized for low- and moderate-income households.

² To be counted as affordable under Chapter 40B, housing must be dedicated to long-term occupancy of income-eligible households (those earning at or below 80% of area median income) through resale or rental restrictions. Units must also be affirmatively marketed and approved through a subsidizing agency. All units in Chapter 40B rental developments count as part of the Subsidized Housing Inventory as opposed to only the actual affordable units in homeownership projects.

- Another 67 affordable units of age-restricted housing were developed by private sponsors.
- Charles River Landing, with 350 units including 88 affordable units, was developed under the state's Local Initiative Program (LIP), sometimes referred to as the "friendly 40B" process as the municipality supports the project in the early stages of development.³
- Another LIP development includes 390 rental units with 98 affordable ones as part of The Kendrick development.
- The Modera Needham project, also a Chapter 40B development, produced 136 rental units on Greendale Avenue that includes 34 affordable units.
- An additional 16 units were added to the Town's SHI as part of a Chapter 40B rental development at 1180 Great Plain Avenue. Four of these units will be affordable. An abutter appealed the ZBA decision in December 2019, and the project is awaiting the resolution of litigation.
- An affordable unit was developed under the Needham Center Overlay District that requires 10% of units built within the area be affordable. This unit is part of a mixed-use development that includes nine market units and two commercial businesses. (See Appendix 4 for a map of this area.
- A total of seven affordable units were also created under local zoning as part of an Elder Services Overlay District. These units were part of two phases in developing age-restricted housing for those 55 years of age or older. See Appendix 4 for a map of this area.
- The Town has a total of 84 units in group homes for persons with developmental disabilities and another 26 units in facilities for persons with special needs that were sponsored by non-profit organizations.
- It should be noted that 2019 census estimates indicate that out of a total 1,754 rental units, 830 had rents of less than \$1,500 which would have been affordable to those households earning less than \$68,000, assuming tenants were not spending more than 30% of their income on housing costs, the traditional threshold of affordability, and have utility bills that average \$200 a month. The census estimates identify another 367 units with rents in the \$1,500 to \$2,000 range that would have been affordable to those with incomes between \$68,000 and \$88,000 based on the same assumptions. Many of these rentals are subsidized as the Town has 737 rentals on its Subsidized Housing Inventory (SHI) that are rented at affordable levels prescribed by the state. Additionally, the census estimates indicate that 99 renter households did not pay rent.

Homeownership Units

- Needham has a total of 17 affordable homeownership units that were permitted under Chapter 40B and are scattered in seven separate developments.
- The Needham Housing Authority converted 20 single-family homes that were rentals to 40 duplex units, half of which were sold as part of the High Rock Estates condominium development.
- The Town also conveyed a municipally owned lot on Bancroft Street to Habitat for Humanity which built an affordable single-family home.
- The Town succeeded in having a market unit converted to an affordable one at the Hamilton Highlands development (formerly Webster Green) when the owners were making considerable capital improvements, including expanding the number of units, causing rent levels to climb above what some long-term tenants could afford. The affordable unit is not eligible for inclusion on the SHI, however, because it is reserved for existing qualifying tenants.

A detailed report on these SHI units is included as Appendix 1.

³ Chapter 40B guidelines allow all units in a 40B rental development to be counted as part of the SHI.

The Town has also focused on ensuring that SHI units are preserved as affordable and remain part of the SHI for as long a period of time as possible. To this end, the Town created a Community Housing Specialist position, that, in addition to other job responsibilities, conducts annual monitoring of a number of affordable housing units, including some older 40B ownership units and more recent units that were required to be affordable through inclusionary zoning. The Housing Specialist is also in contact with the monitoring agents for other affordable units to ensure continued compliance with all monitoring and affordability requirements.

While not counted as part of the Town's Subsidized Housing Inventory, the Dedham Housing Authority administers **rental subsidies** for the Needham Housing Authority and is assigned 120 Section 8 vouchers, which are federally funded through the U.S Department of Housing and Urban Development (HUD). These rental vouchers are provided to qualifying households renting units in the private housing market, filling the gap between an established market rent – the Fair Market Rent (FMR) – and a portion of the household's income. Based on the high cost of housing in Needham, the Housing Authority has been able to apply up to 110% of the FMR levels for its maximum rent. Applicants must also have incomes within 50% of area median income, \$57,600 for a family of three based on 2020 income levels.

The Town has also launched a number of **special housing programs** to help residents afford to remain in the community including:

- The *Small Repair Grant Program* provides limited financial assistance to income-eligible senior and disabled households to help make health and safety improvements to their homes. Grants of up to \$5,000 are provided on an unsecured basis; there is no repayment required unless the grant recipient does not comply with the Grant Agreement or sells or transfers the home within one year. At least one member of the household must be 60 years of age or older or have a disability. All participants must have incomes of no more than 80% of area median income. The Program is administered by the Needham Affordable Housing Trust.
- The *Emergency Rental Assistance Program* was approved by Special Town Meeting in October 2020 to provide financial assistance to help renters who have lost income due to Covid-19 remain in their homes. With an allocation of \$120,000 of Community Preservation funding and another \$50,000 from the Massachusetts Covid-19 Relief Fund, secured for Needham by the Foundation for MetroWest, the Program covers 50% of rent up to \$1,500 per month for up to three months. To qualify, applicants must reside in a private rental unit, including affordable Chapter 40B units, and have incomes no more than 80% of Area Median Income (AMI). The Town selected the regional non-profit organization, Metro West Collaborative Development, to administer the program.
- The *Safety at Home Program*, through the Needham Center for the Heights, helps Needham residents age 60 and older continue to live independently in their homes by providing a free home assessment of safety issues, connections to local resources, and free home goods to improve safety.

II. Planning and Regulatory Accomplishments

The Town has enacted the following zoning provisions over the years to better promote housing diversity and affordability:

- Almost half of the Town's land area is zoned for 10,000 square foot (or just under ¼ of an acre) lots, an allowable lot size relatively rare in the Route 128 suburbs where lots sizes are considerably higher.
- Two-family dwellings are allowed by right in limited areas of town including the General Residence District. See map in Appendix 4.
- Apartments or multi-family units are allowed by Special Permit on the second floor of buildings in the Town's commercial areas, as well as the half story above the second floor in the Needham Center Overlay District. Zoning was also amended to promote underground parking in the Center Overlay District by exempting the floor area of the parking garage in the calculations for determining the maximum floor area ratio, allowing more square footage to be dedicated to housing. Zoning also allowed building height up to 3+1 with three stories of residential above first floor commercial space in the Town Center.
- Mixed residential/business use has been accommodated to some degree in other areas besides the Town Center, including Avery Square, the Hillside Avenue Business District, the Garden Street District, and Lower Chestnut Street area.
- Boarding houses (SROs) are allowed by Special Permit in the Central Business District and industrial districts.
- The Town's Apartment Districts, although limited and primarily built out, allow multi-family development by right without the need for a Special Permit, requiring only Site Plan Approval, and thus involve a much faster and less onerous permitting process.
- Several forms of residential development flexibility are provided: Flexible Development (Section 4.2.4 of the Zoning Bylaw), Planned Residential Development (4.2.5), Residential Compound (4.2.6), and Dimensional Reductions (4.2.7) to encourage "smarter" development that promotes the clustering of units while preserving some open space and other natural features of the property.
- The Town's Subdivision Regulations are straightforward, without any unusually demanding provisions.
- The Town has not imposed barriers such as growth timing, phasing controls, or punitive health or wetlands restrictions as has been done elsewhere.
- The Town's split tax classification results in a residential tax rate that is about half that paid by businesses. The Town also offers tax exemption, work-off, and deferral programs to qualifying owners.
- Building, sewer, and other development fees have in the past been waived for some affordable developments with non-profit sponsors.
- Town officials make good-faith efforts to work with applicants to facilitate timely progress through the regulatory system, rather than using it as a "hurdle."

More recent planning and regulatory changes to better promote affordable housing have included:

- ***Overlay Districts***
Notable among zoning changes has been the introduction of Overlay Districts that promote smart growth development, affordable housing, mixed-use development, and other urban amenities in several commercial areas of town including Needham Center, the Lower Chestnut and Garden Street areas, and Mixed Use Overlay District (MUOD) in the Highland Avenue/Route 128 area. Needham also established an Elder Services District off of Gould Street to serve the community's increasingly aging population. Most of these Districts require the integration of affordable

housing equivalent to one unit for properties of less than ten units and 10% of all units for those with ten or more units. The more recent MUOD increased the affordability requirement to 12.5%.

- ***Project-based Rezoning***

Needham has demonstrated a willingness to rezone property to accommodate affordability efforts. For example, the Needham Housing Authority's High Rock Estates development precipitated zoning changes to allow the conversion of small single-family bungalows to duplex units, some of which were redeveloped as affordable rentals and others as condominiums. More recently, the Town approved new zoning for The Residences at Carter Mill that involved the redevelopment of the Avery Crossing assisted living units with 72 Independent Apartments (nine of which will be affordable), 55 Assisted Living Apartments, and 28 Memory Care Apartments.

- ***Neighborhood Business District Changes***

Zoning was changed in the Neighborhood Business District to allow mixed-uses. Provisions also require that 12.5% of the units created be affordable with the added option of allowing payment in-lieu of units to be paid into the Needham Affordable Housing Trust in support of other affordable housing initiatives.⁴

- ***Local 40B Guidelines***

The Town adopted Local Chapter 40B Guidelines in 2012 to advise the Zoning Board of Appeals and other Town boards and departments with a role in the development review process on local housing priorities and the review process for comprehensive permits. Now that the Town has surpassed the 10% affordability goal under Chapter 40B and is no longer susceptible to 40B projects it deems do not address local needs and priorities, the Town is revisiting the Guidelines and discussing changes to better reflect current Town preferences for locations, income targets, design, density, etc. for new affordable housing development.

- ***Needham Affordable Housing Trust***

Town Meeting approved the Needham Affordable Housing Trust at its 2017 Annual Meeting to provide for the preservation and creation of affordable housing for low- and moderate-income residents.

The state enacted the Municipal Affordable Housing Trust Fund Act on June 7, 2005,⁵ which simplified the process of establishing housing funds that are dedicated to subsidizing affordable housing. The law provides guidelines on what trusts can do and allows communities to collect funds for housing, segregate them out of the general budget into an affordable housing trust fund, and use these funds without going back to Town Meeting for approval. It also enables trusts to own and manage real estate. The law further requires that local housing trusts be governed by at least a five-member board of trustees, appointed by the Select Board. In the case of Needham, members of the Housing Trust include the Select Board, the Town Manager, and an appointed at-large member.

⁴ The cash payment would be equal to the most current Total Development Costs for the MA Department of Housing and Community Development's Qualified Allocation Plan as part of its Low Income Housing Tax Credit Program for the areas described as within Metro Boston/Suburban Area. These figures are also adjusted for the type of project and number of units. No fees have been collected to date.

⁵ MGL Chapter 44, Section 55C.

Since the Housing Trust's establishment, it has met twice a year to discuss a wide range of housing issues and has sponsored the Small Repair Grant Program and advocated for the Emergency Rental Assistance Program. Funding in the Housing Trust remains limited to date, largely capitalized by monitoring and resale fees. The monitoring fees are paid annually by the property owners and by the seller when affordable homeownership units turn over. The Housing Trust is entrusted with ensuring compliance with state affordability requirements.

- ***Accessory Dwelling Units (ADUs)***

The 2019 Special Town Meeting approved the bylaw to permit the creation of accessory dwelling units (ADUs) by Special Permit of the Board of Appeals. The bylaw limits the units to single-family homes that are occupied "by the Owner; Family members related to the Owner by blood, adoption or marriage (spouse, parent, sibling, child, or a spouse of such persons); and Caregivers of Family members who look after an elderly, chronically ill or disabled Owner who needs assistance with activities of daily living or a Family member who needs such assistance, subject to specified standards and procedures."⁶ The bylaw also defined the ADU as "an apartment in a single-family detached dwelling that is a second, self-contained dwelling unit and a complete, separate housekeeping unit containing provisions for living, sleeping, cooking and eating. The ADU must be subordinate in size to the principal dwelling unit on a lot, and constructed to maintain the appearance and essential character of the single-family dwelling."⁷

Other provisions limited the ADU to no more than 850 square feet with one bedroom, located in a primary structure and not an accessory structure, and with exterior entrances and access ways that do not detract from the single-family appearance of the dwelling, among other conditions. While the bylaw limited occupancy to family members or caregivers, it does promote greater housing diversity in the community by allowing small apartments in existing dwellings, enables extended family members to live together, and also provides opportunities for live-in support for people with disabilities. A total of 4 ADUs were permitted through the end of 2020 with another 3 applications under review in February 2021.

More details on zoning are summarized in Appendix 2.

III. Housing Challenges

The challenges to producing affordable housing in the Boston region have been repeatedly identified in published reports over the years with strikingly consistent observations. While sharp reductions in state and federal funds for housing have contributed to the problem, the region's mismatch between demand and supply is widely seen as the result of both state and local actions that constrain land availability, create regulatory impediments, and add to the costs of construction. Needham's location as an inner suburb of Boston with good highway and commuter rail access as well as recognized schools have boosted the demand for housing and thus driven up prices.

Particularly challenging are the following housing production constraints:

⁶ Section 3.15 of the Needham Zoning By-law.

⁷ Ibid.

- ***Limited Developable Property***

As an older established community, Needham has less land available for development than many other communities in the region, and the remaining property has become increasingly valuable and difficult to develop.

New development will rely primarily on redevelopment opportunities, particularly those in areas where some greater density and access to public transit are possible. It will be important for the Town to continue to guide future development to these appropriate locations, promoting higher densities in some areas while minimizing the effects on the natural environment and preserving open space corridors and recreational opportunities in others.

- ***High Level of Teardown Activity***

Driven by the high value of land in Needham, the demolition of older, smaller, and less expensive houses has become the principal source of lots for the construction of new single-family homes thus “recycling” land rather than consuming vacant land. These “teardowns” of relatively small dwellings have typically been replaced by substantially larger ones, leaving the number of dwelling units unchanged but increasing their value significantly. This demolition/replacement activity has eliminated many of the smaller more affordable private market units that were developed years ago as starter housing and has been the driving force pushing sales prices over \$1 million.

- ***Regulatory Barriers***

While significant progress has been made to reforming zoning, there still remains room for regulatory improvements to better direct development to appropriate locations based on “smart growth” principles and adequate incentives for incorporating public benefits, including affordable housing. As previously mentioned, there is a near-absence of developable vacant land that is zoned to permit multi-family housing, even two-family dwellings. Actual development of multi-family housing now generally occurs through redevelopment of already developed sites, rezoning by Town Meeting, or, in the past, a Chapter 40B override of applicable zoning. The Overlay Districts mentioned above have reduced these barriers somewhat in certain areas.

- ***Limited Availability of Subsidies***

Financial resources to subsidize affordable housing preservation and production as well as rental assistance have suffered budget cuts over the years making funding more limited and extremely competitive. Communities are finding it increasingly challenging to obtain necessary funding for programs and development projects and must be strategic in leveraging limited local resources. Because of substantial and growing affordability gaps, affordable housing initiatives are likely to require layers of public and private investment.

Needham approved the Community Preservation Act (CPA) in November 2004, which has been a very important resource for supporting affordable housing efforts. Over the years the Town has committed about \$1.6 million of its CPA funds on housing initiatives including:

- \$120,000 in recent funding to support an Emergency Rental Assistance Program
- \$860,500 for four grants to the Needham Housing Authority, three for the High Rock Estates project and another for a feasibility study for redeveloping NHA property.

- Another \$150,000 grant to NHA for development consulting services which has not yet been committed.
- \$370,000 for the Charles River Center (formerly the Charles River ARC) for four grants including three grants for existing group homes and another for a new group residence for five people with significant physical and cognitive disabilities.
- \$25,000 for a housing consultant to prepare Chapter 40B guidelines and additional funding towards a portion of the part-time Housing Specialist position over three years.

Most of the CPA reserve funds have been set-aside to support a future NHA project to redevelop existing public housing. It should be noted that while a minimum of 10% of the Town's annual CPA funding must be reserved for community housing, communities can dedicate a higher percentage of CPA funds for housing. The balance in the CPA Community Housing reserve as of December 31, 2020 is \$2,459,763

The Town also joined the Metro West HOME Consortium in 2008, which has enabled it to secure HOME Program funding to address local affordable housing needs. Funding has fluctuated over the years from an allocation of \$57,521 in fiscal year 2009, to \$67,387 by 2011, down to \$36,149 in 2013, and then as low as \$27,455 in 2020. The Town has spent \$280,000 in HOME funds for the Charles River Center's group residence at 1285 South Street in addition to annual operating/administrative funds.

- ***Community Perceptions***

Residents in most communities are concerned about the impacts that any new development will have on local services and the quality of life. Some residents may have negative impressions of affordable housing in general or question whether it is even needed in the community. Local opposition to new affordable developments has become more the norm than the exception.

On the other hand, national events like the Black Lives Matter movement and the current pandemic have been catalytic in promoting greater community interest and discussion regarding housing issues, including the need for more affordable housing in the community.

- ***Infrastructure Constraints***

As a general matter, the Town's infrastructure is likely sufficient to accommodate proposed incremental growth related to affordable housing development. An exception is potential public education costs, particularly if school enrollments warrant construction of additional facilities. A high percentage of the Town's tax levy already is used directly or indirectly for school operations and services, existing schools are *perceived as being* at or over capacity, and land for new facilities is at a premium.

There are a number of areas of town that are not served by Town sewer services, most in the outskirts near the Wellesley and Dover lines and comprising not more than 10% of all Needham's properties. Most of these areas are part of the Town's water protection zone. There are also several pockets where gravity issues constrain the extension of such services. A number of environmental concerns have arisen in these areas as some septic systems have failed and needed replacement to protect local water sources. The Town is aggressively encouraging the extension and connection to municipal sewer lines where possible.

Attachment 1

Subsidized Housing Inventory (SHI)

Of the 11,047 year-round housing units in Needham, 1,410 or 12.76% are determined to be affordable by the Commonwealth of Massachusetts, up from 841 or 7.6% in 2015 and 425 units or 3.94% in January 2006.⁸ The total will increase to 1,419 units and 12.8% when the 9 units as part of the Carter Mill development are eligible for inclusion in the SHI. This percentage will decrease somewhat when the 2020 census data is released to reflect housing growth since 2010. Nevertheless, it is likely to remain above 12%.

The State has ruled that if a municipality has less than 10% of its year-round housing stock set-aside for low- and moderate-income residents, it is not meeting the local and regional need for affordable housing. Not meeting this affordability standard makes the locality vulnerable to an override of local zoning if a developer wants to build affordable housing through the comprehensive permit process.⁹ Consequently, by surpassing the 10% affordable housing threshold, Needham will no longer be required to process Chapter 40B comprehensive permit applications that it determines are inappropriate and do not address local housing needs.

Table 1 presents the 2020 income limits for affordable units in the Boston metropolitan area, adjusted by household size. To be counted as affordable under Chapter 40B, housing must be dedicated to long-term occupancy of income-eligible households (those earning at or below 80% of area median income) through resale or rental restrictions. Units must also be affirmatively marketed and approved through a subsidizing agency. All units in Chapter 40B rental developments count as part of the Subsidized Housing Inventory as opposed to only the actual affordable units in homeownership projects.

Table 1: HUD Area Income Limits for the Boston Area, 2020¹⁰

# Persons in Household	30% of Area Median Income	50% of Area Median Income	80% of Area Median Income
1	\$26,850	\$44,800	\$67,400
2	\$30,700	\$51,200	\$77,000
3	\$34,550	\$57,600	\$86,650
4	\$38,350	\$63,950	\$96,250
5	\$41,450	\$69,100	\$103,950
6	\$44,500	\$74,200	\$111,650
7	\$47,600	\$79,300	\$119,350
8+	\$50,650	\$84,450	\$127,050

Source: U.S. Department of Housing and Urban Development (HUD)

⁸ It is likely that building permits will not be issued within one year of the project's inclusion on the SHI, a state requirement, and the unit count will therefore be reduced to zero until the litigation has been resolved and the building permits approved.

⁹ Chapter 774 of the Acts of 1969 established the Massachusetts Comprehensive Permit Law (Massachusetts General Laws Chapter 40B) to facilitate the development of affordable housing for low- and moderate-income households – defined as any housing subsidized by the federal or state government under any program to assist in the construction of low- or moderate-income housing for those earning less than 80% of median income – by permitting the state to override local zoning and other restrictions in communities where less than 10% of the year-round housing is subsidized for low- and moderate-income households.

¹⁰ The U.S. Department of Housing and Urban Development (HUD) includes Needham as part of the Boston-Cambridge-Quincy MA-NH Metropolitan Statistical Area.

Table 2 summarizes those units that are included in the Subsidized Housing Inventory (SHI) and thus meet all state requirements of affordability.

Table 2: Needham's Subsidized Housing Inventory (SHI)

Project Name	# SHI Units	# Aff. Units	Project Type/ Subsidizing Agency	Use of a 40B Comp Permit	Affordability Expiration Date
Cook's Bridge (Captain Robert Cook Drive and Seabeds Way)*	76	76	Rental/HUD	No	Perpetuity
High Rock Estates*	80	80	Rental/DHCD (will be HUD)	No	Perpetuity
38-158 Linden Street*	32	32	Rental/DHCD	No	Perpetuity
168-188 Linden Street*	40	40	Rental/DHCD	No	Perpetuity
15-42 Chambers Street*	80	80	Rental/DHCD	No	Perpetuity
Matthews House/ 1415 Great Plain Ave.*/**	8	8	Rental/DHCD	No	Perpetuity
Highland Ave./Charles River ARC. **	6	6	Rental/HUD and EOHHS	No	2038
Marked Tree Corp. **	4	4	Rental/HUD and EOHHS	No	2038
Nehoidan Glen	61	61	Rental/MassHousing	Yes	Perpetuity
Webster Street II/929 Webster **	4	4	Rental/HUD	No	2037
Webster Street II/299 Webster **	6	6	Rental/HUD	No	2037
West Street Apartments **	6	6	Rental/HUD	No	2043
Junction Place	2	2	Ownership/DHCD and FHLBB	Yes	Perpetuity
Garden Street	2	2	Ownership/FHLBB	Yes	Perpetuity
High Cliff Estates	3	3	Ownership/FHLBB	Yes	Perpetuity
Chestnut Hollow	6	6	Rental/DHCD and HUD	No	2021
Suites at Needham	2	2	Ownership/MassHousing	Yes	Perpetuity
Charles River Landing	350	88	Rental/DHCD	Yes	Perpetuity
DDS Group Homes **	84****	84	Special Needs Rental/DDS	No	NA
Craftsman Village	2	2	Ownership/MassHousing	Yes	Perpetuity
Greendale Village	4	4	Ownership/MassHousing	Yes	Perpetuity
The Residences at Wingate	2	2	Rental/DHCD	No	Perpetuity
Webster Street Green	2	2	Ownership/MassHousing	Yes	Perpetuity
Needham Place/50 Dedham Ave.	1	1	Rental/DHCD	No	Perpetuity
The Kendrick/2 nd Avenue Residences	390	98	Rental/DHCD	Yes	Perpetuity
Wingate Phase II	5	5	Rental/DHCD	No	Perpetuity
Greendale Mews/Modera Needham	136	34	Rental/MassHousing	Yes	Perpetuity
1180 Great Plain Avenue	16	4	Rental/MHP	Yes	Perpetuity
TOTAL***	1,410	742	12.76% of year-round housing units		

Source: Massachusetts Department of Housing and Community Development

* Needham Housing Authority units

** Special needs units

*** Includes 262 market units at Charles River Landing, 292 market units at 2nd Avenue Residences, and 102 market units at Greendale Mews/Modera Needham for a total of 656 market units. The number of actual affordable rental units in these projects is 220. **** Down from 89 units in 2018

While there are 1,410 units currently included on the SHI, representing 12.76% of the year-round housing stock of 11,047 units, those units that are actually affordable based on affordable rents or purchase prices total 742

units or 6.7%. This discrepancy is because all units in Chapter 40B rental developments qualify for inclusion on the SHI, not just the actual 25% as is the case for 40B homeownership projects.

The Needham Housing Authority (NHA) owns 316 housing units in the following developments:

- *High Rock Estates*
State Chapter 200 funding (the Housing Authority is in the process of federalizing this property)
Single-family housing for families
80 units (43 three-bedroom units and 37 two-bedroom units)
The Needham Housing Authority redeveloped this property by replacing 20 single-family units with two-family structures.
- *Linden-Chambers*
State Chapter 667 funding, mixed elderly-disabled housing
152 one-bedroom units
- *Matthews House*
State Chapter 689 funding for special needs housing
8-bed group home
- *Captain Robert Cook Drive*
Federally-financed
Single-family housing for families
30 units (5 two-bedroom units, 20 three-bedroom units and 5 four-bedroom units)
- *Seabeds Way*
Federally-financed
Mixed elderly, disabled singles housing
46 one-bedroom units

The Housing Authority has 216 applicants on its waitlist for the family units including 90 applicants for two-bedroom units, 76 for three-bedrooms, and 50 for four-bedroom units. Waits for these units are considerable with some applicants waiting for more than a decade.

Regarding the NHA's elderly/disabled units, there were 240 applicants on the waitlist that included 195 seniors and 45 younger disabled residents. This total also included 44 emergency/priority applicants. While most on the waitlist submitted applications during the last several years, some went back as far as 2011.

In addition to the Housing Authority's Matthews House, Needham has five (5) other special needs housing facilities that altogether total 26 additional affordable housing units (including the Highland Avenue ARC project, Marked Tree Road, 299 and 929 Webster Street, and West Street Apartments) as well as 84 units in group homes for state Department of Developmental Services (DDS) clients scattered throughout town. These group home units include five (5) units as part of a group home for developmentally disabled adults on South Street.¹¹

¹¹ The Town allocated \$280,000 in HOME Program funding and \$220,000 in CPA funds to support development financing.

Needham also has 15 other projects that are a part of its SHI that include an additional 312 actual affordable units (total of 968 units that can be counted in the SHI) that have been produced by private, for profit or non-profit developers including:

- *Nehoidan Glen*
1035 Central Avenue
Comprehensive Permit granted in 1976 and amendments were issued through June 2011.
Total Rental Units: 61 Affordable Units: 61
This development is for low-income seniors and is managed by Wingate.
- *Chestnut Hollow*
141 Chestnut Street
Variance granted in October 2000 by the Board of Appeals
Special Permit granted in December 2000 by the Planning Board
Total Rental Units: 28 Affordable Units: 6
Chestnut Hollow involved a major renovation of an existing non-conforming building, formerly the Hamilton House Nursing Home, for conversion into apartments for seniors. The development was processed through a Special Permit and variances. There are 12 two-bedroom units, 15 one-bedroom units, and one (1) studio unit.
- *Junction Place Townhouses*
32 Junction Place
Comprehensive Permit granted in October 2000
Total Condominium Units: 5 Affordable Units: 2
Junction Place is a condominium project comprised of five (5) attached townhouse units, approved by the Town in November 2001 through a comprehensive permit. The property contains approximately 11,200 square feet of land, previously occupied by a small vacant two-story office building, a garage and parking area on the edge of a commercial district and across the road from a train station. All five (5) of the townhouses were sold at below market prices to eligible families through a lottery system. Two (2) of the homes were sold for \$165,000 to families earning up to 80% of the area median income with the remaining three (3) initially sold for \$310,000 to families earning up to 150% of the area median income.
- *Garden Street/Browne-Whitney*
207-213 Garden Street
Comprehensive Permit granted March 2002
Total Condominium Units: 6 Affordable Units: 2
The Garden Street project is a condominium development with six (6) total three-bedroom units, two (2) of which are affordable. The Town approved the project in March of 2002, and was subject to an appeal filed by an abutter to the property that was subsequently settled. The property contains approximately 27,132 square feet of land. Although within a single-family district, the property is located directly across the street from a business zone, a short walk to the center of Needham and public transportation. The two (2) affordable units sold for \$160,000 with the market rate units priced between \$525,000 and \$759,000.
- *High Cliff Estates*
199 St. Mary Street
Comprehensive Permit granted April 2002

Total Condominium Units: 12 Affordable Units: 3

The High Cliff Estates project is a townhouse condominium development with 12 total three-bedroom condominium units in four (4) buildings and with three (3) of the condominiums sold as affordable, selling between \$105,000 and \$137,500. The market rate units sold for \$447,000 to \$582,300.

- *Suites at Needham*
797 Highland Avenue
Comprehensive Permit granted in 2006
Total Condominium Units: 8 Affordable Units: 2
The development includes eight (8) townhouses, two (2) of which are affordable. The project is located on Highland Avenue, only a short walk to a MBTA commuter rail station.
- *Charles River Landing*
300 Second Avenue
Comprehensive Permit granted in 2007
Total Rental Units: 350 Affordable Units: 88 (all units count as part of the SHI)
The Town of Needham entered into an agreement with the developer, Cabot, Cabot & Forbes, to build 350 rental units through a “friendly” Chapter 40B process as part of the state’s Local Initiative Program (LIP). The project is located at the outer edge of the New England Business Center, adjacent to a residential neighborhood and overlooking the Charles River. The parcel contains 7.9 acres and promotes smart growth principles as it is served by existing infrastructure; is in proximity to Town services, transportation and employment; promotes higher density housing; and includes affordable housing. About two-thirds of the units have one-bedrooms, the remainder with two-bedrooms.
- *Craftsman Village*
21 High Street
Comprehensive Permit granted initially in 2006 and amended for new developer in 2009
Total Condominium Units: 6 Affordable Units: 2
The initial developer filed the comprehensive permit application in 2003, and proposed building twelve three-bedroom condominium units, three (3) to be affordable, on an about 27,000 square foot lot within walking distance to public transportation. The ZBA approved six (6) units but the developer was unwilling to go below eight (8) and appealed the decision to the state’s Housing Appeal Committee. The project finally moved forward with a new developer, Craftsman Village LLC, with a total of six (6) units including two (2) affordable ones. The market units sold for \$609,000.
- *The Residences at Wingate/Phase I*
235 Gould Street
Special Permit Approval in 2011
Total Independent Living Rental Units: 12 Affordable Units: 2
Pursuant to a zoning change to create an Elder Services Zoning District, approved by Town Meeting in 2010, and Special Permit approval of the Planning Board in 2011, the developer built a senior housing facility on Gould Street next to its Nursing Home at 589 Highland Avenue. The building includes 91 total units – 12 Independent Living Apartment units, 42 Assisted Living units, and 37 Assisted Living units specializing in Alzheimer’s and other memory loss related conditions. The project also includes two (2) affordable units, one (1) that was initially reserved for those who lived or worked in Needham.
- *Needham Place (previously known as Dedham Avenue)*
36-58 Dedham Avenue

Special Permit Approval in 2012

Total Rental Units: 10 Affordable Units: 1

Through the rezoning of Needham Center through a Center Business Overlay District approved by Town Meeting in 2009, as well as Special Permit approval by the Planning Board in 2012, the developer, MMM Property LLC (Brookline Development Corp.), built a new three plus one story mixed-use building on Dedham Avenue near Great Plain Avenue. The property contains ten (10) rental units, including one (1) affordable unit, as well as two (2) first-floor retail units.

- *Greendale Village*
894 and 906 Greendale Avenue
Comprehensive Permit granted in 2013
Total Condominium Units: 20 Affordable Units: 4
The Greendale Village development includes 20 new townhomes, four (4) of which are affordable to those earning at or below 50% of area median income. The lottery was held on July 8, 2014. The 2 two-bedroom affordable units sold for \$112,600 and the 2 three-bedrooms sold for \$121,400. The market units ranged in price from \$759,000 to \$940,000.
- *Webster Street Green*
28 Webster Street
Comprehensive Permit initially granted in 2005 and amended in 2013
Total Condominium Units: 10 Affordable Units: 2
The developer, Webster Street Green, LLC, was issued a comprehensive permit in November 2005, which was appealed, amended, and extended through the state's Housing Appeals Committee (HAC). The affordable units were targeted to those earning at or below 50% AMI and sold for \$121,300 and \$136,800 while the market units sold in the \$689,000 to \$769,000 range.
- *One Wingate Way/ Wingate Phase II*
235 Gould Street
Special Permit Approval in 2014
Total Independent Living Rental Units: 52 Affordable Units: 5
Another 52 Independent Living Units were built next to the existing Phase I Residences at Wingate senior living development. Given that the project is part of the Town's Elder Services District, at least 10% of the units must be affordable. The project received Special Permit approval by the Planning Board on October 20, 2014 (amendment of Phase I approval, in 2011), and the project is completed.
- *The Kendrick (previously known as 2nd Avenue Residences)*
275 Second Avenue
Comprehensive Permit granted in 2015
Total Rental Units: 390 Affordable Units: 98 (all units count as part of the SHI)
The Town of Needham provided its support for the 2nd Second Avenue Residences development as part of the Local Initiative Program (LIP) Project Eligibility Application that was submitted to DHCD by the developer, A Street Residential LLC, on April 15, 2015. The ZBA subsequently approved the comprehensive permit on October 20, 2015.
- *Modera Needham (previously known as Greendale Mews)*
692 and 744 Greendale Avenue
Comprehensive Permit granted in 2013 for 108 units and approved 136 units in 2015
Total Rental Units: 136 Affordable Units: 34 (all units count as part of the SHI)

The developer, Mill Creek Residential Trust LLC, proposed 300 and then 268 rental units on the six-acre site through a comprehensive permit application on April 13, 2013, and the ZBA approved 108 on December 19, 2013. The parties subsequently agreed to a total of 136 units, which the ZBA formally approved on October 20, 2015.

- *1180 Great Plain Avenue*

Comprehensive Permit granted in 2020.

Total Rental Units: 16 Affordable Units: 4 (all 16 units count as part of the SHI)

The developer, Petruzzello Properties LLC, submitted the comprehensive permit application in July 2019, and the ZBA issued its approval in November 2019. An abutter subsequently appealed the decision to the Massachusetts Superior Court. The project includes 8 one-bedroom and 8 two-bedroom units.

The Town also sponsored a Habitat for Humanity project at 5 Bancroft Street. This parcel was owned by the Town of Needham, which issued a Request for Proposals to secure a developer to build an affordable home on the site. Habitat for Humanity was the winning respondent and built a single-family house on the lot for a first-time homebuyer.

The Dedham Housing Authority administers *rental subsidies* for Needham and is assigned 120 Section 8 vouchers. While these rental subsidies are not eligible for inclusion in the SHI, they nevertheless provide significant support for qualifying households renting units in the private housing market, filling the gap between an established market rent – the Fair Market Rent (FMR) – and a portion of the household’s income. Preference is granted to applicants who reside or are employed in Needham. Applicants must also have incomes within 50% of area median income based on HUD area income limits (see Table 1), but 75% of an agency’s vouchers are to go to applicants whose incomes do not exceed 30% of area median income. There is a considerable wait for these housing vouchers, with the Massachusetts Centralized Wait List with more than 100,000 applicants from 102 participating housing authorities, including Dedham.

Appendix 2

Zoning Analysis Spreadsheet

Description of the File

This file lists all non-single-family zones in Needham as of Jan 2021, and the restrictions and conditions associated with building multi-family housing and mixed-use developments (i.e., developments that include multi-family housing with other uses such as retail stores or commercial offices).

This file lists where Affordable Housing is required as a percentage of multi-family housing units in a building or development and highlights districts where multi-family or mixed-use housing is allowed or allowable by special permit with no Affordable Housing requirement. This file also serves as an overview of existing (non-Needham Housing Authority) multi-family housing more generally in Needham. In this file, Needham is divided into three zoning maps running from North to South.

Glossary of terms

Inclusionary zoning

Refers to municipal zoning bylaws and ordinances that require a given share of new construction to be affordable by households below a certain income (usually 80% of median income of the metropolitan area), referred to as Affordable Housing.

The term Inclusionary Zoning indicates that these bylaws and ordinances seek to provide Affordable Housing Units that the market would otherwise not produce under current zoning in the absence of Inclusionary Zoning provisions.

Overlay District

An Overlay District is a type of land use zoning district that "lies" on top of the underlying zoning district. An Overlay District could cover more than one underlying zoning district; also, there could be more than one Overlay District covering a single underlying zoning district.

Acronyms Used

CCRC: Continuing Care Retirement Community

FAR: Floor area ratio (ratio of floor area to lot area)

AHU: Affordable Housing Unit

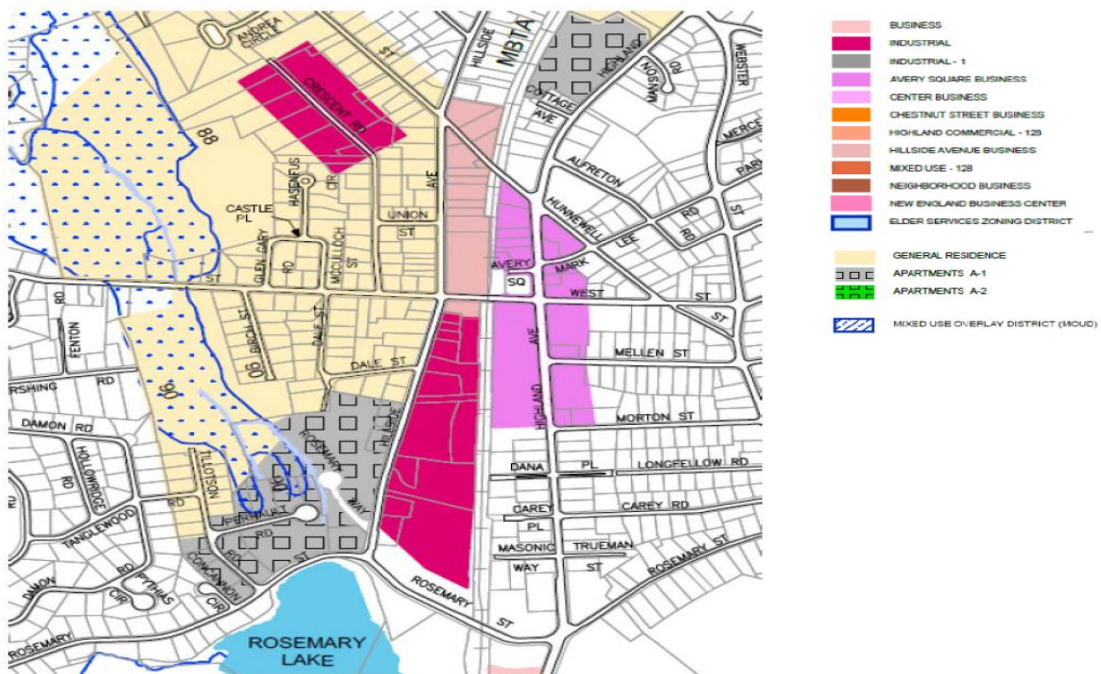
DU: Dwelling Unit

MUOD: Mixed Use Overlay District

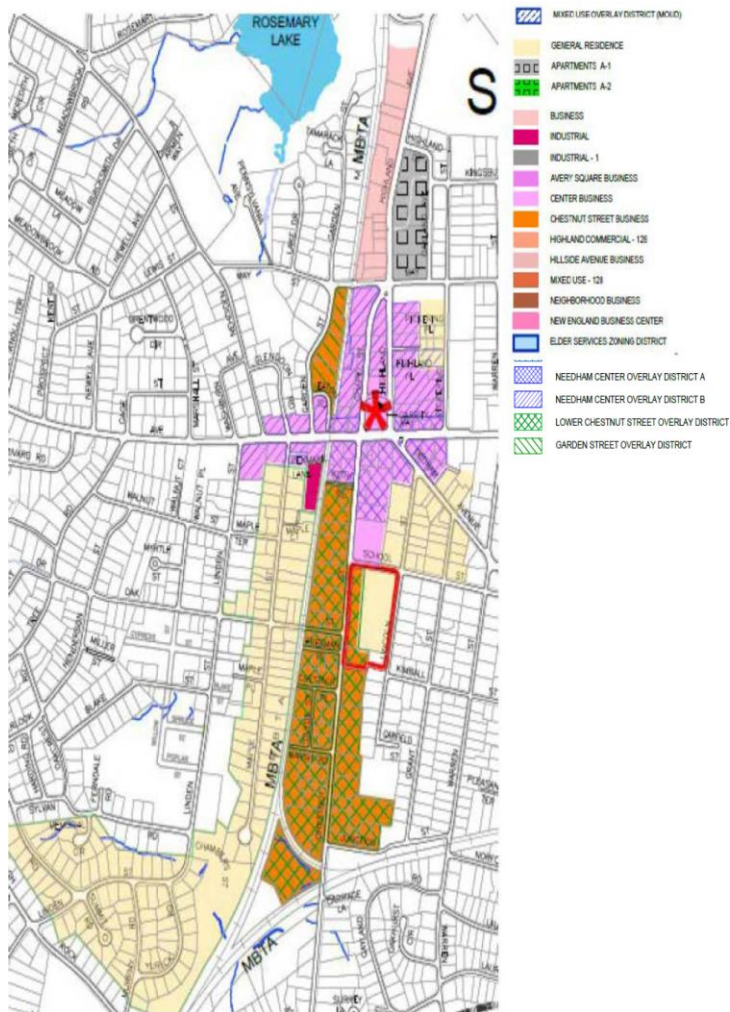
MAP #	ZONING DISTRICT	IS MIXED-USE		LOCATION LIMITATIONS w/in BUILDING	DIMENSIONAL LIMITATIONS	AFFORDABILITY REQUIREMENT	EXISTING DEVELOPMENT(S)
		IS MULTI-FAMILY ALLOWED	BUILDING ALLOWED (Restrictions specified)				
1	Industrial - 1	N					
1	Industrial	N					
1	Highland Commercial - 128	N (but see MUOD on W-side)					
1	Mixed Use - 128	N (but see MUOD)					
1	Mixed Use Overlay District (MUOD)	SP (4-250 DU'S; 40- 70% 1BR)	SP 4-250 DU'S; 40-70% 1BR	for M-U, DU's only on upper stories	84' height (54' w/in 350' of river); FAR 3.0	12 1/2% AHU	none
1	Neighborhood Business - 128	N	SP	only on upper floor(s) above NR use	35' height; 2 1/2 stories; FAR 0.5	6+ units/12 1/2% (or \$\$ to AH Trust)	none
1	New England Business Center	N					
1	Elder Services	Y		must be within a CCRC & 55+ age	40' height; 3 stories; FAR 1.0	10 units/1 AHU; 11+ units/10% AHU	Wingate



MAP #	ZONING DISTRICT	IS MULTI-FAMILY ALLOWED	IS MIXED-USE BUILDING ALLOWED (Restrictions specified)	LOCATION LIMITATIONS w/in BUILDING	DIMENSIONAL LIMITATIONS	AFFORDABILITY REQUIREMENT	EXISTING DEVELOPMENT(S)
	2 Apartments A-1	Y			40' height; 3 stories; FAR 0.5; 18 DU/acre	none	Webster Green, Rosemary Ridge, Rosemary Lake Apts (Charlesgate East off map)
off map	Apartments A-2	Y			40' height; 3 stories; FAR 0.3; 8 DU/acre	none	Nehoiden Glen (off map)
	2 Avery Square Business	SP			35' height; 2 1/2 stories; FAR 0.7; 18 DU/acre	none	2 examples on Highland Avenue in Heights
	2 Avery Square Overlay	N	SP	in building w Assisted Living/Memory Units; 55+	44' height; 4 stories w 4th story set back	10+ units/12 1/2	Carters (to be renovated & enlarged)
	2 Hillside Avenue Business	SP			35' height; 2 1/2 stories; FAR 0.7	none	Townhouses @ corner of Hillside & Hunnewell, apartment building on Hillside/Hunnewell



MAP #	ZONING DISTRICT	IS MULTI-FAMILY ALLOWED	IS MIXED-USE BUILDING ALLOWED (Restrictions)	LOCATION LIMITATIONS w/in BUILDING	DIMENSIONAL LIMITATIONS	AFFORDABILITY REQUIREMENT	EXISTING DEVELOPMENT(S)
3	Business	N					
3	Center Business	N	SP	only on 2nd story and 3rd 1/2 story	35' height; 2 1/2 stories; FAR 0.7; 18 DU/acre	none	Corner of GPA & Maple St. across from Mobil
3	Needham Center Overlay A	N	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 48' height & 4 stories & 2.0 or 3.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	Dedham Ave across from UU Church
3	Needham Center Overlay B	N	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 37' height & 3 stories & 2.0 or 3.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	none
3	Garden Street Overlay	N	Y 1-5 DU's; SP 6+ DU's	for M-U, 1-5 upper floor(s); 6+ upper or side/rear	by SP, 37' height & 3 stories & FAR 1.0 - MF & 1.2 - M-U	6-10 units/1 AHU; 11+ units/10% AHU	none
3	Chestnut St. Business	N	SP	only on 2nd story and 3rd 1/2 story	35' height; 2 1/2 stories; FAR 0.7	none	Oak Street @ RR X
3	Lower Chestnut St. Overlay	SP	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 48' height & 4 stories & 1/5 or 2.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	none
3	Apartments A-1	Y			40' height; 3 stories; FAR 0.5; 18 DU's/acre	none	The Highlands
3	Industrial	N					Denmark Lane



MAP #	ZONING DISTRICT	MULTI-FAMILY	MIXED-USE BUILDING	LOCATION LIMITATIONS w/in BUILDING	DIMENSIONAL LIMITATIONS	AFFORDABILITY REQUIREMENT	DEVELOPMENT(S)
1, 2, 3	General Residence	N (Y for 2-family only)				none	many 2-families
1, 2, 3	Industrial	N					
1	Industrial - 1	N					
1	Highland Commercial - 128	N (but see MUOD on W-side)					
1	Mixed Use - 128	N (but see MUOD)					
1	Mixed Use Overlay District (MUOD)	SP (4-250 DU'S; 40-70% 1BR)	SP 4-250 DU'S; 40-70% 1BR	for M-U, DU's only on upper stories	84' height (54' w/in 350' of river); FAR 3.0	12 1/2% AHU	none
1	Neighborhood Business - 128	N	SP	only on upper floor(s) above NR use	35' height; 2 1/2 stories; FAR 0.5	6+ units/12 1/2% (or \$\$ to AH Trust)	none
1	New England Business Center	N					
1	Elder Services	Y		must be within a CCRC & 55+ age	40' height; 3 stories; FAR 1.0	10 units/1 AHU; 11+ units/10% AHU	Wingate
2	Apartments A-1	Y			40' height; 3 stories; FAR 0.5; 18 DU/acre	none	Webster Green, Rosemary Ridge, Rosemary Lake Apts, The Highlands, Charlesgate East
off map	Apartments A-2	Y			40' height; 3 stories; FAR 0.3; 8 DU/acre	none	Nehoiden Glen
2	Avery Square Business	SP			35' height; 2 1/2 stories; FAR 0.7; 18 DU/acre	none	2 examples on Highland Avenue in Heights
2	Avery Square Overlay	N	SP	in building w Assisted Living/Memory Units; 55+	44' height; 4 stories w 4th story set back	10+ units/12 1/2% AHU	Carters (to be rebuilt)
2	Hillside Avenue Business	SP			35' height; 2 1/2 stories; FAR 0.7	none	Townhouses @ corner of Hillside & Hunnewell, apartment building on Hillside/Hunnewell
3	Business	N					
3	Center Business	N	SP	only on 2nd story and 3rd 1/2 story	35' height; 2 1/2 stories; FAR 0.7; 18 DU/acre	none	Corner of GPA & Maple St. across from Mobil
3	Needham Center Overlay A	N	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 48' height & 4 stories & 2.0 or 3.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	Dedham Ave across from UU Church
3	Needham Center Overlay B	N	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 37' height & 3 stories & 2.0 or 3.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	none
3	Garden Street Overlay	N	Y 1-5 DU's; SP 6+ DU's	for M-U, 1-5 upper floor(s); 6+ upper or side/rear	by SP, 37' height & 3 stories & FAR 1.0 - MF & 1.2 - M-U	6-10 units/1 AHU; 11+ units/10% AHU	none
3	Chestnut St. Business	N	SP	only on 2nd story and 3rd 1/2 story	35' height; 2 1/2 stories; FAR 0.7	none	Oak Street @ RR X
3	Lower Chestnut St. Overlay	SP	Y 1-5 DU's; SP 6+ DU's	for 1-5 upper floor(s); 6+ upper or side/rear	by SP, 48' height & 4 stories & 1/5 or 2.0 FAR	6-10 units/1 AHU; 11+ units/10% AHU	none

Appendix 3

Glossary of Housing Terms

Affordable Housing

A subjective term, but as used in this Plan, refers to housing available to a household earning no more than 80% of area median income at a cost that is no more than 30% of total household income. Also referred to as Community Housing.

Area Median Income (AMI)

The estimated median income, adjusted for family size, by metropolitan area (or county in nonmetropolitan areas) that is adjusted by HUD annually and used as the basis of eligibility for most housing assistance programs. Sometimes referred to as “MFI” or median family income.

As-of-right or By-right Development

As-of-right or by-right development involves a use that is permitted in a zoning district and is therefore not subject to special review and approval by a local government.

Chapter 40B

The state’s comprehensive permit law, enacted in 1969, established an affordable housing goal of 10% for every community. In communities below the 10% goal, developers of low- and moderate-income housing can seek an expedited local review under the comprehensive permit process and can request a limited waiver of local zoning and other restrictions, which hamper construction of affordable housing. Developers can appeal to the state if their application is denied or approved with conditions that render it uneconomic, and the state can overturn the local decision if it finds it unreasonable in light of the need for affordable housing.

Chapter 40R/40S

State legislation that provides cash incentives to municipalities that adopt smart growth overlay districts that also increase housing production, including affordable housing (see Appendix 4 for details).

Chapter 44B

The Community Preservation Act Enabling Legislation that allows communities, at local option, to establish a Community Preservation Fund to preserve open space, historic resources and community housing, by imposing a surcharge of up to 3% on local property taxes. The state provides matching funds from its own Community Preservation Trust Fund, generated from an increase in certain Registry of Deeds’ fees.

Cluster Development

A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for other uses, most typically open space preservation. Some provisions allow density bonuses for certain conditions of development, including affordable housing.

Comprehensive Permit

Expedited permitting process for developers building affordable housing under Chapter 40B “anti-snob zoning” law. A comprehensive permit, rather than multiple individual permits from various local boards, is issued by the local zoning boards of appeals to qualifying developers (see Appendix 4 for details).

Conservation Development

A project that conserves open space, protects site features and provides flexibility in the siting of structures, services and infrastructure.

Department of Housing and Community Development (DHCD)

DHCD is the state's lead agency for housing and community development programs and policy. It oversees state-funded public housing, administers rental assistance programs, provides funds for municipal assistance, and funds a variety of programs to stimulate the development of affordable housing.

Design Guidelines

A set of discretionary standards, including design and performance criteria, developed as a public policy to guide the planning and land development.

Easements

The right to use property for specific purposes or to gain access to another property.

Energy Star

A voluntary labeling program of the US Environmental Protection Agency (EPA) and the US Department of Energy that identifies energy efficient products.

Enhanced Single Room Occupancy (ESRO)

A single person room with a private bath and/or kitchen rather than shared facilities.

Expedited Permitting

The state's Chapter 43D Program allows a community to gain state incentives for projects meeting certain criteria and permitted within a 180-day regulatory process.

Fair Housing Act

Federal legislation, first enacted in 1968, that provides the Secretary of HUD with investigation and enforcement responsibilities for fair housing practices. It prohibits discrimination in housing and lending based on race, color, religion, sex, national origin, handicap, or familial status. There is also a Massachusetts Fair Housing Act, which extends the prohibition against discrimination to sexual orientation, marital status, ancestry, veteran status, children, and age. The state law also prohibits discrimination against families receiving public assistance or rental subsidies, or because of any requirement of these programs.

Form-based Zoning

Zoning regulations that define desired building and site characteristics but do not strictly regulate the uses.

Green Building

A term used to describe buildings that have been designed or retrofitted to reduce energy consumption.

Inclusionary Zoning

Inclusionary zoning is a zoning ordinance or bylaw that requires a developer to include affordable housing as part of a development or contribute to a fund for such housing.

Infill Development

Infill development is the practice of building on vacant or undeveloped parcels in dense areas, especially urban and inner suburban neighborhoods. Such development promotes compact development, which in turn allows undeveloped land to remain open and green.

Jobs/Housing Balance

A measure of the harmony between available jobs and housing in a specific area.

LEED

Leadership in Energy and Environmental Design (LEED) is a voluntary standard for developing high performance, sustainable buildings that significantly reduce energy consumption. There are various standards, including silver, gold and platinum, which are awarded to particular properties through a certification process.

Local Initiative Program (LIP)

LIP is a state program under which communities may use local resources and DHCD technical assistance to develop affordable housing that is eligible for inclusion on the state Subsidized Housing Inventory (SHI). LIP is not a financing program, but the DHCD technical assistance qualifies as a subsidy and enables locally supported developments that do not require other financial subsidies to use the comprehensive permit process. At least 25% of the units must be set-aside as affordable to households earning less than 80% of area median income (see Appendix 4 for more details).

MassHousing (formerly the Massachusetts Housing Finance Agency, MHFA)

MassHousing is a quasi-public agency created in 1966 to help finance affordable housing programs. MassHousing sells both tax-exempt and taxable bonds to finance its many single-family and multi-family programs.

Metropolitan Statistical Area (MSA)

The term, MSA, is also used for CMSAs (consolidated metropolitan statistical areas) and PMSAs (primary metropolitan statistical areas) that are geographic units used for defining urban areas that are based largely on commuting patterns. The federal Office of Management and Budget defines these areas for statistical purposes only, but many federal agencies use them for programmatic purposes, including allocating federal funds and determining program eligibility. HUD uses MSAs as its basis for setting income guidelines and fair market rents.

Mixed-Income Housing Development

Mixed-income development includes housing for various income levels.

Mixed-Use Development

Mixed-use projects combine different types of development such as residential, commercial, office, industrial and institutional into one project.

Overlay Zoning

A zoning district, applied over one or more other districts that contains additional provisions for special features or conditions, such as historic buildings, affordable housing, or wetlands.

Planned Development

A district or project designed to provide an alternative to the conventional suburban development standards that promote a number of important public policy benefits, often including a variety of housing, including affordable housing, and creative site design alternatives.

Public Housing Agency (PHA)

A public entity that operates housing programs: includes state housing agencies (including DHCD), housing finance agencies and local housing authorities. This is a HUD definition that is used to describe the entities that are permitted to receive funds or administer a wide range of HUD programs including public housing and Section 8 rental assistance.

Regional Non-profit Housing Organizations

Regional non-profit housing organizations include nine private, non-profit housing agencies, which administer the Section 8 Program on a statewide basis, under contract with DHCD. Each agency serves a wide geographic region. Collectively, they cover the entire state and administer over 15,000 Section 8 vouchers. In addition to administering Section 8 subsidies, they administer state-funded rental assistance (MRVP) in communities without participating local housing authorities. They also develop affordable housing and run housing rehabilitation and weatherization programs, operate homeless shelters, run homeless prevention and first-time homebuyer programs, and offer technical assistance and training programs for communities.

Regional Planning Agencies (RPAs)

These are public agencies that coordinate planning in each of thirteen regions of the state. They are empowered to undertake studies of resources, problems, and needs of their districts. They provide professional expertise to communities in areas such as master planning, affordable housing and open space planning, and traffic impact studies. With the exception of the Cape Cod and Nantucket Commissions, however, which are land use regulatory agencies as well as planning agencies, the RPAs serve in an advisory capacity only. The Metropolitan Area Planning Council (MAPC) serves as Needham's Regional Planning Agency.

Request for Proposals (RFP)

A process for soliciting applications for funding when funds are awarded competitively or soliciting proposals from developers as an alternative to lowest-bidder competitive bidding.

Section 8

Refers to the major federal (HUD) program – actually a collection of programs – providing rental assistance to low-income households to help them pay for housing. Participating tenants pay 30% of their income (some pay more) for housing (rent and basic utilities) and the federal subsidy pays the balance of the rent. The Program is now officially called the Housing Choice Voucher Program.

Single Room Occupancy (SRO)

A single room occupancy (more commonly SRO, sometimes called single resident occupancy) is a multiple tenant building that houses one or two people in individual rooms (sometimes two rooms, or two rooms with a bathroom or half bathroom), or to the single room dwelling itself. SRO tenants typically share bathrooms and /or kitchens, while some SRO rooms may include kitchenettes, bathrooms, or half-baths. Although many are former hotels, SROs are primarily rented as permanent residences.

Smart Growth

The term used to refer to a rapidly growing and widespread movement that calls for a more coordinated, environmentally sensitive approach to planning and development. A response to the problems associated with unplanned, unlimited suburban development – or sprawl – smart growth principles call for more efficient land use, compact development patterns, less dependence on the automobile, a range of housing opportunities and choices, and improved jobs/housing balance.

Subsidy

Typically refers to financial assistance that fills the gap between the costs of any affordable housing development and what the occupants can afford based on program eligibility requirements. Many times, multiple subsidies from various funding sources are required, often referred to as the “layering” of subsidies, to make a project feasible. In the state’s Local Initiative Program (LIP), DHCD’s technical assistance qualifies as a subsidy and enables locally supported developments that do not require other financial subsidies to use the comprehensive permit process. Also, “internal subsidies” refers to those developments that do not have an external source(s) of funding for affordable housing, but use the value of the market units to “cross subsidize” the affordable ones.

Subsidized Housing Inventory (SHI)

This is the official list of units, by municipality, that count toward a community’s 10% goal as prescribed by Chapter 40B comprehensive permit law.

Sustainability

Development that includes a balanced set of integrated principles such as social equity, environmental respect, and economic viability, which preserves a high quality of life for current occupants and future generations.

Transfer of Development Rights (TDR)

A program that coordinates the relocation of development from environmentally sensitive areas that should be preserved as open space to areas that can accommodate higher densities.

Transit Oriented Development (TOD)

Development that occurs within walking distance of public transportation, usually bus or trains, to reduce the reliance on the automobile and typically accommodate mixed uses and higher densities.

U.S. Department of Housing and Urban Development (HUD)

The primary federal agency for regulating housing, including fair housing and housing finance. It is also the major federal funding source for affordable housing programs.

Appendix 4
Zoning Maps

